

HOUSE BILL 2582
By West

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 105, Part 1, relative to blasting and
explosives.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 105, Part 1, is amended by
adding the following new section thereto:

Section 68-105-122.

(a) Before blasting operations are conducted within one-half mile distance of any dwelling house, public building, school, church, or commercial or institutional building, a blaster shall inspect each such dwelling house, public building, school, church, or commercial or institutional building and shall note in writing any cracks, fissures, separations or other such disturbances in such structures. The blaster shall take photographs of any cracks, fissures, separations, or other such disturbances in such structures. Written notations and photographs shall be acknowledged in writing by a person over the age of eighteen (18) who lives or works in a dwelling house, public building, school, church, or commercial or institutional building within the affected area. Copies of such written notations and photographs shall be provided upon request to the owner of any dwelling house, public building, school, church, or commercial or institutional building.

(b) In any action against a blaster there shall be a rebuttable inference that cracks, fissures, separations, or other such disturbances in a dwelling house, public building, school, church, or commercial or institutional building occurring within six (6) months of blasting that do not appear in written notes or photographs signed by the

owner of such property were the result of blasting. The provisions of this subsection shall apply only to dwelling houses, public buildings, schools, churches, or commercial or institutional buildings within one-half mile distance of blasting operations.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.